

IDAHO BOARD OF MASSAGE THERAPY
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 3/27/2017

BOARD MEMBERS PRESENT: Paul J Weston - Chair
Gail L King
Carla Anne Steen
Linda A Chatburn
Deborah A Karren

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Marcie Rightnowar, Appeals/Hearing Coordinator
Maurie Ellsworth, General Counsel
Mitchell Toryanski, Legal Counsel
Dicsie Gullick, Technical Records Specialist II

OTHERS PRESENT: Lydia Benson, AICM
Becky Olinger, AMTA – Idaho
Randy Young, Massage Envy

The meeting was called to order at 8:32 AM MDT by Paul J Weston.

APPROVAL OF MINUTES

Ms. Chatburn made a motion to approve the minutes of 02/03/2017. It was seconded by Ms. King. Motion carried.

LEGISLATIVE REPORT

Mr. Toryanski gave the legislative report. He said that proposed laws must be submitted by the first week of August and proposed rules must be submitted by the third week of August for the 2018 Legislature.

This year the Board proposed three law changes and one rule change to the State Legislature this year. The rule change included a provisional permit and a temporary permit as well as it lowered the fees for the initial application for examination applicants and the renewal fees for licensees. The proposed rules passed the Senate on January 19, 2017 and passed the House on January 23, 2017. The proposed rule changes should be going into effect soon; once the resolution is signed.

The three proposed laws were: House Bill 7, which would give the Board authority to help the State Board of Education review curriculum; House Bill 8, which would have required fingerprint based background checks for all licensees and applicants; and House Bill 9, which would increase the Board honorarium.

House Bill 9 passed both houses and was signed by the Governor on March 1, 2017. House Bill 8 passed the House with a 39-30-1 vote. The vote in the Senate was 17-17 with one absent, so the bill failed on the floor of the Senate. House Bill 7 failed on the Senate floor in a 14-20-1 vote.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$267,825.71 as of 02/28/2017.

DISCIPLINE

Ms. Uranga presented a memorandum regarding case numbers MAS-2017-13, MAS-2017-14, and MAS-2017-15. After discussion, the Board gave recommendations for appropriate discipline.

INVESTIGATIVE REPORT

Ms. Righnowar gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Ms. Karren made a motion to approve the Bureau's recommendation and authorize closure in cases I-MAS-2017-16, I-MAS2017-21, and I-MAS-2017-24. It was seconded by Ms. Chatburn. Motion carried.

DISCIPLINE

Ms. Righnowar presented CEU Consent Orders in case MAS-2017-16, MAS-2017-17, MAS-2017-18, and MAS-2017-20. Ms. Chatburn made a motion to approve the Consent Orders and allow the Board Chair to sign on behalf of the Board. It was seconded by Ms. King. Motion carried.

OLD BUSINESS

To Do List – The Board reviewed the to do list and no action was taken.

CONTINUING EDUCATION PAGE

The Board reviewed a draft of the Continuing Education page that included possible changes in wording. Ms. Chatburn made a motion to accept the changes as written. It was seconded by Ms. King. Motion carried.

LEGISLATIVE UPDATE

The Board discussed updating licensees regarding the Legislative session. Ms. Chatburn made a motion that the Bureau draft a Legislative update postcard and work on draft language for the Idaho Board of Massage Therapy page. It was seconded by Ms. Steen. Motion carried.

ONCOLOGY MESSAGE

The Board reviewed a draft of the General Information of Interest and Frequently Asked Question pages that included possible changes in wording. After discussion Ms. Chatburn made a motion to approve the wording as presented. It was seconded by Ms. Steen. Motion carried.

NEW BUSINESS

NEXT MEETING was scheduled for May 22, 2017 at 8:30 AM MDT.

PUBLIC COMMENT

Mr. Young expressed his frustration that the bill regarding background checks failed. He asked for clarification of the temporary license and provisional permit and if total body stretch was within the scope of practice of massage therapists. Ms. Cory explained the difference between the temporary license and the provisional permit and the Board stated that stretching was within the scope of practice of massage therapists, but therapeutic exercise is outside the scope of practice.

Ms. Benson discussed House Bill 7 failing and wanted to know where the schools should go for curriculum review. She also asked about options for redress regarding non-compliant schools. The Board explained that school registration is with the State Board of Education.

Ms. King made a motion to have the Bureau draft language for the Frequently Asked Questions page regarding education. It was seconded by Ms. Steen. Motion carried.

ENDORSEMENT APPLICATION

The Board reviewed a draft of the Endorsement Application. After discussion, Ms. Chatburn made a motion to accept the changes as written. It was seconded by Ms. Karren. Motion carried.

EXAMINATION APPLICATION

The Board reviewed a draft of the Examination Application. After discussion Ms. Chatburn made a motion to accept the changes with noted amendments with final approval to be given by Board Chair. It was seconded by Ms. King. Motion carried.

IMPLEMENTATION OF RULES

The Board discussed the rules that will go into effect near the end of the Legislature and how to implement them.

EDUCATION OF ENDORSEMENT APPLICANTS

The Board discussed education transcripts from endorsement applicants. The Board asked that an item be added to the to do list regarding reviewing the list of states from which transcripts are required.

CORRESPONDENCE

The Board reviewed correspondence from the Federation of State Massage Therapy Boards regarding the invalidation of MBLEx Scores. No Action was taken.

The Board reviewed correspondence from the FSMTB regarding their monthly newsletter. No Action was taken.

EXECUTIVE SESSION

Ms. Karren made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Ms. King. The vote was: Ms. Karren, aye; Ms. King, aye; Ms. Chatburn, aye; Ms. Steen, aye; and Mr. Weston, aye. Motion carried.

Ms. King made a motion to come out of executive session. It was seconded by Ms. Steen. The vote was: Ms. Karren, aye; Ms. King, aye; Ms. Chatburn, aye; Ms. Steen, aye; and Mr. Weston, aye. Motion carried.

Ms. Karren made a motion to approve the following for licensure:

LARSEN LOUISE K

MASA-3038

It was seconded by Ms. King. Motion carried.

EXECUTIVE SESSION

Ms. King made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Ms. Chatburn. The vote was: Ms. Karren, aye; Ms. King, aye; Ms. Chatburn, aye; Ms. Steen, aye; and Mr. Weston, aye. Motion carried.

Ms. Chatburn left the meeting at 3:00 PM.

Ms. King made a motion to come out of executive session. It was seconded by Ms. Steen. The vote was: Ms. Karren, aye; Ms. King, aye; Ms. Steen, aye; and Mr. Weston, aye. Motion carried.

APPLICATIONS

Ms. Karren made a motion to approve the following for licensure pending receipt of documents:

#901150489
#901149937
#901150639
#901149837
#901149977
#901150732

It was seconded by Ms. King. Motion carried.

Ms. Karren made a motion to approve the following for licensure pending receipt of documents and Board Chair review:

#901150759
#901150775

It was seconded by Ms. King. Motion carried.

Ms. Steen made a motion to approve the following for licensure:

BURROWS JAMES EDWARD	MASA-3137
GORE ERIC S	MASA-3133
KUFFEL SHALAE ANDRUS	MASA-3134
SHINGLETON BRADEN JOSHUA	MASA-3138
SPENCER JASON E	MASA-3129

ROUSSEAU MADELINE DOROTHY MASA-3144

It was seconded by Ms. King. Motion carried.

Ms. Steen made a motion to approve the following for licensure:

POSTMA GRACE MASA-3148

It was seconded by Ms. King. Motion carried. Mr. Weston recused himself from voting and discussion.

Ms. King made a motion to table the following applications:

#901149741
#901149740
#901150408
#901150345
#901147510
#901150407
#901150553
#901149884
#901149739
#901150728
#901150755
#901150757
#901150758
#901150761
#901150770

It was seconded by Ms. Karren. Motion carried.

CE COURSES

Ms. King made a motion to deny the following continuing education courses:

BREEMA - 6

It was seconded by Ms. Steen. Motion carried.

Ms. King made a motion to approve the following continuing education courses:

ETHICS: PROFESSIONAL COMMUNICATION - 3
INTRODUCTION TO STRUCTURAL MYOFASCIAL THERAPY - 1
MASSAGE ETHICS: CREATING A DRAMA FREE PRACTICE - 1
UNDERSTANDING MYOFASCIAL PAIN AND FIBROMYALGIA - 1.5
MYOFASCIAL TIGHTNESS, STIFFNESS, CONTRACTURE: CLINICAL

IMPLICATIONS AND APPLICATIONS - 1.5
LIGAMENTOUS ARTICULAR STRAIN TECHNIQUES - 1
GOOD ETHICS IS GOOD BUSINESS - 1.5
FULLY EXPOSED ETHICAL DILEMMAS - 8

It was seconded by Ms. Steen. Motion carried

ADJOURNMENT

Ms. King made a motion to adjourn the meeting at 5:00 PM MDT. It was seconded by Ms. Steen. Motion carried.

Paul J Weston, Chair

Gail L King

Carla Anne Steen

Linda A Chatburn

Deborah A Karren

Tana Cory, Bureau Chief